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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,841	04/06/2001	Sumihiro Okawa	SONYJP 3.0-152	6651

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EXAMINER

DANG, KHANH NMN

ART UNIT PAPER NUMBER

2181

DATE MAILED: 09/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/827,841

Applicant(s)

OKAWA ET AL.

Examiner

Khanh Dang

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-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other:

DETAILED ACTION

Specification

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-5 are rejected under 35 U.S.C. 112, first paragraph, because the best mode contemplated by the inventor has not been disclosed. Evidence of concealment of the best mode is based upon the fact that the distinctions between what is claimed as Applicant's invention and the IEEE 1394 specification have not been clearly set forth in both the originally filed specification and the drawings. Whatever belongs to the IEEE 1934 specification must be disclosed under "Background of the Invention" and labeled as –Prior Art – both under the "Brief Description of the Drawings" and in the Drawings.

Claim Rejections - 35 USC § 112

Claims 2 and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2, the essential structural cooperative relationship(s) between the "decoder" and other recited elements in the claim have been omitted, such omission amounting to a gap between the necessary structural connections. In claim 2, page 50, line 3, "receive" should be changed to – received --. Furthermore, the phrase, "said

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decoder performs ... as said arbitration signal" (page 51, line3-7) is unclear and cannot fully ascertained.

In claim 5, page 52, lines 4-8, the phrase, "said decoder performs ... as said arbitration signal" (page 51, line3-7) is unclear and cannot fully ascertained.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims ~~1-31~~¹⁻⁵ are rejected under 35 U.S.C. 102(e) as being anticipated by Okawa et al.

At the outset, it is first noted that similar claims will be grouped together to avoid repetition in explanation.

As broadly drafted, these claims do not define any structure/step that differs from Okawa et al. With regard to claim 1, Okawa et al. discloses an electronic equipment, comprising a bus (IEEE 1394 bus); an interface unit (IEEE 1394 interface) for digital serial data connected to the bus (IEEE 1394 bus), the interface unit (IEEE 1394 interface) having a physical layer (see at least Figs. 8 and 9) in conformity with the IEEE 1394 standard; at least one partner (any I/O/Peripheral device or Node in 1394 protocol) connected to the bus, each connected partner having a physical layer (must be a 1394 device to be connected to a 1394 bus) which conforms to the IEEE 1394 standard; and a processor (host, for example) connected to the interface unit; the interface unit including a transmitter (Tx for arb signals) for transmitting an arbitration signal to each connected partner, and a receiver (Rx for arb signals) receiving an arbitration signal from each connected partner, wherein, in a bus initialization phase (power on/off, adding/removing nodes in 1394 protocol), a bus reset signal (also "reset signal" in Okawa et al.) is sent to each connected partner (node in 1394 protocol) for a predetermined period of time in a reset start state of the interface unit, and when it is acknowledged that a specified period of time has elapsed and bus reset signals have been received from each connected partner, the interface unit is transferred to a rest wait state (or in another word, in 1394 systems including Okawa et al.'s 1394, the 1394

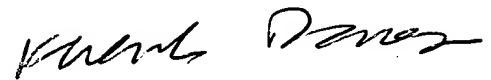
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serial bus automatically recognizes a node having a node ID connected to the cable for the 1394 interface. When a node is removed from the interface, or a new node is added to the interface, the bus is automatically reset (to reflect the change, for example, the priority level between nodes). Therefore, during initialization (power ON, for example), a 1394 bus reset must be sent to each connected node to determine whether the network construction remains the same (same nodes) or may include new nodes that may be added or nodes that may be removed during the power OFF period, since the priority level, for example, between nodes may change and thus, may require arbitration again. When the reset signal is sent to one node, the 1394 physical layer of the respective node receives the bus reset signal, and at the same time, notifies the link layer of the occurrence of bus reset, and forwards the bus reset signal to the other nodes. It is clear that it takes a specified "predetermined period of time" for all nodes to receive the reset signal from the host depending on a number of nodes corresponding to a particular design. After all nodes receive reset signal or the "reset start state" ends, the 1394 interface of Okawa et al. will "wait" for another reset which may occur during power ON/OFF, adding/removing 1394 nodes. With regard to claim 2 (as best understood), in Okawa et al., bus arbitration must be performed first before a node can access to a 1394 bus. Also, both arbitration signal and reset signal are decoded. With regard to claim 3, transmission between host and nodes in accordance with 1394 protocol is bi-directional. With regard to claims 4 and 5, one using the 1394 system of Okawa et al. would have performed the same steps set forth in claims 4 and 5.

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U.S. Patent Nos. 6,219,697 to Lawande et al., 6,160,796 to Zou, 6,473,816 to Yoshida et al., 6,513,085 to Gugel et al., 6,411,628 to Hauck et al., and 6,529,977 to Nyu are cited as relevant art.

Any inquiry concerning this communication should be directed to Khanh Dang at telephone number 703-308-0211.

A handwritten signature in black ink, appearing to read "Khanh Dang", with a stylized flourish at the end.

Khanh Dang
Primary Examiner